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January 29, 2007

VIA ECF

Honorable Joanna Seybert
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722-9014

Re: In re DHB Industries, Inc., Index No. 05-CV-4296 (JS) (ETB)

Dear Judge Seybert:

This law firm represents defendant DHB Industries, Inc. ("DHB") in this action.

DHB requests that this Court schedule a telephonic or in-person conference to be held as soon as possible concerning the applicability of the notification provisions ("Notification Provisions") of the Class Action Fairness Act ("CAFA") to the Settlement in this action. *See* 28 U.S.C. § 1715.

In their January 26, 2007 letter ("Letter"), Lead Plaintiffs NECA-IBEW Pension Fund, RS Holdings and George Baciu set forth support for the conclusion that Congress did not intend CAFA - - including its Notification Provisions - - to apply to settlements in securities class action lawsuits, such as the one before this Court in this action.

However, in light of the lack of decisional authority addressing this issue, and some contrary commentaries on CAFA, DHB suggests that the preferred procedural course would be for the parties to withdraw the filing of the Settlement and to shortly thereafter re-file the Settlement so that the parties might voluntarily comply with CAFA's Notification Provisions. We look forward to discussing this matter further at the requested court conference.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "DPK", written over a horizontal line.

David P. Kasakove

cc: Hon. E. Thomas Boyle
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